

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

DANIEL KOCH, JOHNNY RAY )  
WELLS, JR., TRENT COLLINS, BRAD )  
WEIKART, FRANKLIN LORTIE, KIRK )  
HERRING, ZACKERY PEPPLER, DANNY )  
PORTER, TIMOTHY NIBLACK, TOM )  
SEITZ, SR., and ANTHONY FOLLIS, )

Plaintiffs, )

vs. )

CAUSE NO. 1:14-cv-72

JERRY W. BAILEY TRUCKING, INC., )  
and ESTATE OF JERRY W. BAILEY, )

Defendants. )

**MOTION FOR AN AWARD OF STATUTORY ATTORNEY'S FEES,  
COSTS AND DESIGNATION OF EVIDENCE**

Comes now Plaintiffs, by counsel, hereby move for an award of statutory attorney fees in the amount of \$201,820.00 and costs of \$5,729.36 to be awarded to counsel for Plaintiffs and against Defendants, Jerry W. Bailey Trucking, Inc. and the Estate of Jerry W. Bailey.

Plaintiffs hereby designate the following evidence in support of this Motion:

1. Memorandum in Support.
2. Affidavit of Ronald E. Weldy attached hereto as Exhibit A.
  - a. Exhibit 1 – Clio Invoice
  - b. Exhibit 2 - Bill of Costs
3. Affidavit of Christopher Myers attached hereto as Exhibit B.
4. Affidavit of Robert Kondras attached hereto as Exhibit C.

WHEREFORE, Plaintiffs hereby request statutory attorney fees against Defendants in the amount \$201,820.00 and costs in the amount of \$5,729.62, and for all other just and proper relief.

Respectfully submitted,

WELDY LAW

/s/ Ronald E. Weldy  
Ronald E. Weldy, #22571-49  
Counsel for Plaintiffs

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via ECF on this 16<sup>th</sup> day of April, 2021 to the following:

Theodore T. Storer – ttstorer@beersmallers.com

/s/ Ronald E. Weldy  
Ronald E. Weldy, #22571-49  
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